



CITY OF  
SANTA ROSA

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10 September 2007

Mr. Robert Klamt  
Interim Executive Officer  
Regional Water Quality Control Board  
5550 Skylane Blvd., Suite A  
Santa Rosa, CA 95403

Subject: Resolution No. R1-2007-0073

Dear Mr. Klamt:

The City of Santa Rosa is pleased to provide comments in support of Resolution No. R1-2007-0073. The resolution clarifies that the Low Threat Basin Plan amendment (BPA) will reduce irrigation runoff and protect water quality by assuring that best irrigation management practices and other feasible measures are implemented. As described below, the City of Santa Rosa is implementing measures consistent with the expected outcome of the BPA process, which will not only protect water quality but also conserve water.

Catherine Kuhlman, former Executive Officer, appeared before the City's Board of Public Utilities (BPU) in August 2007 and committed to propose a BPA such that incidental runoff and other low threat discharges would be allowed during the summer irrigation season. As discussed at the August 2007 BPU meeting, the BPA is a prerequisite for construction and operation of the Santa Rosa Urban Reuse Project (Project). Given that the BPA is not scheduled to be considered prior to the scheduled commitment of City funds for Project design in early 2008, Resolution No. R1-2007-0073 expresses support for water recycling that is essential for continued timely development of the Project by the City. In the spirit of support, the City offers specific comments (see attached) intended to clarify the resolution.

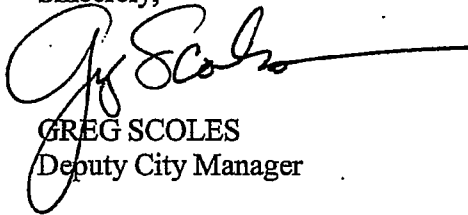
Resolution No. R1-2007-0073 states that the Low Threat Discharges BPA is proceeding to allow discharges of small amounts of potable and treated recycled water and other low threat discharges during the dry-weather season "if appropriate best management practices are implemented . . . ." We have been working with Regional Water Board staff to understand the definition of "appropriate best management practices" because the BPA would not facilitate Project construction and operation if best management practices considered appropriate by Board staff are considered infeasible by City staff or recycled water users. City staff met with John Short and Mona Dougherty of Regional Water Board staff on August 9, 2007 to review the City's landscape irrigation management practices, which are described in the attached summary used at the meeting. The City's understanding is that Regional Water Board staff indicated that the City's landscape management practices, with minor refinement and the addition of

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stormwater outfall monitoring and BMP implementation reporting, appear at this time to be appropriate and sufficient in the context of Resolution No. R1-2007-0073 and the proposed Low Threat Discharges BPA. This understanding was confirmed in a telephone discussion with John Short on September 7, 2007.

Based on this understanding about best management practices, the City supports adoption of Resolution No. R1-2007-0073 and requests the clarifications described in the attached document. If you have any questions, please call me at 707 543-3021.

Sincerely,



GREG SCOLES  
Deputy City Manager

c: Santa Rosa Board of Public Utilities  
Santa Rosa City Council  
David W. Smith, Merritt Smith Consulting  
Craig Johns, California Resource Strategies  
Dave Richardson, Russian River Water Association  
Subregional System User Agencies

**Attachments:**

1. City of Santa Rosa's Proposed Changes to Resolution No. R1-2007-0073
2. Landscape Irrigation Water Management Best Management Practices As presented to the Stormwater Co-permittees and Regional Board Staff August 9, 2007

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City of Santa Rosa  
Proposed Changes to Resolution No. R1-2007-0073

Policy Statement in the Matter of Recycled Water Use in the North Coast Region  
WHEREAS, the California Water Quality Control Board, North Coast Region, (Regional Water Board) finds that:

1. The California Legislature has established a statewide goal to recycle one million acre feet of water per year by 2010. (Water Code §13577).
2. The use of potable domestic water for nonpotable uses such as landscape irrigation is considered a waste and an unreasonable use of water, if recycled water is available at a reasonable cost. (Water Code §13550).
3. The California Legislature has declared that the people of the State have a primary interest in the development of facilities to reclaim water containing waste to supplement existing surface and underground water supplies.
4. The California Legislature has declared that the State shall undertake all possible steps to encourage the development of water reclamation facilities so that reclaimed water may be made available to help meet the growing water requirements of the State.
5. The State Water Resources Control Board (State Water Board) adopted these principles in Resolution 77-1:

The State Water Board and the Regional Water Boards shall encourage water reclamation projects which meet conditions (a), (b) or (c) below.

- (a) Beneficial use will be made of wastewaters that would otherwise be discharged to marine or brackish receiving waters or evaporation ponds,
  - (b) Reclaimed water will replace or supplement the use of fresh water or better quality water,
  - (c) Reclaimed water will be used to preserve, restore, or enhance instream beneficial uses which include, but are not limited to, fish, wildlife, recreation and aesthetics associated with any surface water or wetlands.
6. State Water Board Resolution 77-1 further states: "the State Board and the Regional Boards shall (a) encourage reclamation and reuse of water in water-short areas of the State, (b) encourage water conservation measures which further extend the water resources of the State, and (c) encourage other agencies, in particular the Department of Water Resources, to assist in implementing this policy."
  7. The Regional Water Board has long supported water recycling efforts throughout the North Coast Region, and by this Resolution, reaffirms its commitment to encouraging and facilitating water recycling projects that protect beneficial uses

wherever possible. The Water Quality Control Plan for the North Coast Region (Basin Plan) contains several provisions that present unintended impediments to current urban water reuse efforts. The Regional Water Board is committed to using the Basin Plan Amendment process to amend those provisions of the Basin Plan that constitute regulatory barriers to developing recycled water projects in the Region. To that end, the Regional Board anticipates acting on proposed Basin Plan Amendment language in the next twelve months that will address these unintended regulatory barriers to developing recycled water projects in the Region.

8. The Regional Water Board recognizes that the City of Santa Rosa is the North Coast Region's largest water recycler and appreciates supports the City's ongoing efforts and significant financial commitments to the development of recycled water reuse in the Russian River Watershed. Specifically, the Regional Water Board supports the proposed Santa Rosa Urban Reuse Project. The Santa Rosa Urban Reuse Project is estimated to cost local ratepayers \$120 million and would provide a billion gallons of recycled water per year, reducing the City's use of its potable water supply by an equivalent amount.
9. The City has requested the Regional Water Board to amend the Basin Plan and to revise the City's Storm Water Permit to recognize that small amounts of potable and treated recycled water, used in the Santa Rosa Urban Reuse Project areas in accordance with appropriate best management practices do not pose a threat to water quality, and should not be prohibited. The City has indicated that these regulatory changes are needed for the City to commit further, substantial economic resources to the Santa Rosa Urban Reuse Project.
10. The Basin Plan currently prohibits any discharges during dry weather (defined as the period from May 15 through September 30 ) of wastewater to receiving waters, regardless of level of treatment. This prohibition encourages Permittees to use various land disposal alternatives, including agricultural irrigation, urban landscape irrigation and other wastewater recycling opportunities. The dry-weather discharge prohibition was not intended to limit recycled water use or preclude ~~discharges of~~ small amounts of potable and/or treated recycled water, which result from irrigation practices and pose either no threat or a low threat to water quality, from reaching surface waters in the region.
11. The Regional Water Board recognizes that in order to provide the necessary regulatory environment to further support recycled water reuse throughout the North Coast Region, and specifically the Santa Rosa Urban Reuse Project, revisions to the Basin Plan need to recognize that treated recycled water is suitable for urban and other reuse projects.
12. Since 2005, the Regional Water Board has been working with stakeholders and various interested parties to develop a Basin Plan amendment that modifies the dry-weather discharge prohibition to recognize that ~~the discharge of~~ small amounts of

potable and treated recycled water in connection with irrigation reuse projects that may reach surface waters in the region constitute a little or "low threat" risk to surface waters when managed appropriately by water providers or users, and thus should not be regarded as unpermitted discharges. The proposed Basin Plan amendment shall consider exempting such low threat discharges that meet specific criteria from the Basin Plan's dry-weather discharge prohibition.

13. The Regional Water Board further recognizes that in order to provide an appropriate regulatory environment to support and encourage recycled water reuse, and specifically the Santa Rosa Urban Reuse Project, the Regional Water Board needs to consider modifications to the City's Municipal Separate Storm Sewer System (Storm Water) Permit to recognize that, despite implementation of best management practices, small amounts of potable and treated recycled water used for urban irrigation may, from time to time, leave the specific irrigation areas, but discharge from irrigation sites and may not pose a significant threat to water quality.
14. Regional Water Board staff is currently working on renewal of the Storm Water Permit for the City. Staff has committed to evaluating regulatory impediments to the further development of the Santa Rosa Urban Reuse Project. The Regional Water Board expects the revised Storm Water Permit to recognize that the runoff of small amounts of irrigation water, including potable and treated recycled water, where appropriate best management practices are implemented, do not constitute a low threat unpermitted discharges. Such a revised Storm Water Permit for the City would provide more appropriate regulation of storm water runoff, and provide the incentives the City needs to maintain and enhance its overall urban reuse of treated recycled water, including the Santa Rosa Urban Reuse Project.

THEREFORE, BE IT RESOLVED THAT,

1. The Regional Water Board is proceeding with consideration of a Basin Plan amendment to allow discharge runoff from specific irrigation sites of small amounts of potable and treated recycled water and other low threat discharges during the dry-weather season, if appropriate best management practices are implemented, beneficial uses are protected, and the discharges do not contribute to water quality degradation or harm to aquatic life.
2. The Regional Water Board will consider modifications to Santa Rosa's Storm Water Permit to provide that low-threat discharges runoff from irrigation sites of small amounts of potable or treated recycled water used for irrigation applied in accordance with appropriate best management practices will not be prohibited explicitly or through imposition of infeasible conditions.

CERTIFICATION

I, Robert R. Klamt, Interim Executive Officer, do hereby certify that the foregoing is a full, true, and correct

copy of a Resolution adopted by the  
California Regional Water Quality  
Control Board, North Coast Region,  
on September 13, 2007.

Robert R. Klamt  
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